

REMARKS

The Office Action dated January 27, 2004 has been reviewed and carefully considered.

Claims 1-13 remain pending, of which the independent claims are 1, 5 and 9.

Claims 1-3, 9 and 13 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S.

Patent No. 6,408,177 to Parikh.

35 U.S.C. 102 provides that “A person shall be entitled to a patent unless - . . . (e) the invention was described in - (1) an application for patent, published under **section 122(b)**, by another filed in the United States before the invention by the applicant for patent . . . “

The Parikh reference was filed in the U.S. on February 9, 2000. Since the applicant claimed and was accorded a priority date of January 28, 2000 (See, e.g., Office Action Summary, August 11, 2003), Parikh was not filed “before the invention by the applicant for patent.” Parikh is therefore not prior art with respect to the claims of the present application. Enclosed is a certified translation of the foreign counterpart patent application from which the June 23, 2001 priority date is claimed.

Pursuant to 35 U.S.C. 365, the Director may make a requirement for an English translation of a priority document to perfect the priority claim.

Item 5 of the Office Action mentions that the applicant’s claim for priority is not sufficient to overcome the claim rejections due to the applicant’s failure to provide the U.S. Patent Office in the prior amendment with a copy of an English translation of the Korean Application filed on January 28, 2000. That prior amendment is the amendment responsive to the prior Office Action which was received in the U.S. Patent Office on November 14, 2003.

The records of the applicant show, however, that a copy of the translation was indeed filed with that amendment, although the original of the translation was not available to the applicant's attorney at the time of filing of that amendment. Enclosed is a copy of the return postcard from the Patent Office indicating the inclusion in that amendment of the copy of the certified translation.

Since Parikh is not prior art as to the claims of the instant patent application, the anticipation rejection is invalid for at least this reason. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 4-8 and 10-12 stand rejected under 35 U.S.C. 103(a) as unpatentable over Parikh in view of U.S. Patent No. 5,966,652 to Coad et al. ("Coad").

Since Parikh is not prior art as to the claims of the instant patent application, the obviousness rejection is invalid for at least this reason. Reconsideration and withdrawal of the rejection is respectfully requested.

For all of the foregoing reasons, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is respectfully solicited.

Serial No. 09/769,996
Attorney Docket No. 5000-1-156

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to kindly telephone the undersigned at the telephone number listed below. If there are any fees due and owing, please charge Deposit Account No. 502-470.

Respectfully submitted,
CHA & REITER

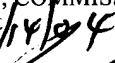
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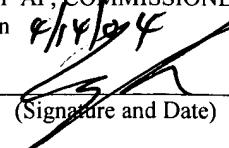
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